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22879 7590 01/26/2009 HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			EXAMINER NGUYEN, CAO H	
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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/931,657
Filing Date: August 16, 2001
Appellant(s): HAY ET AL.

Robert Popa
For Appellant

EXAMINER'S ANSWER

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This is in response to the appeal brief filed 10/27/08 appealing from the Office action mailed 05/27/08.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The appellant's statement of the status of claims 1-17 contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

5,966,441	CALAMERA	10-1999
6,209,099	SAUNDERS	3-2001

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-17 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Calamera (US Patent No. 5,966,441) in views of Saunders et al. (US Patent No. 6,209,099).

Regarding claims 1 and 6, Calamera discloses means for presenting to a user the interactions among the plurality of components [..network-oriented component layer contains the underlying technology for creating encapsulated entity components that contain references to network resources located on computer networks; see col. 8, lines 5-35]; means for allowing the user to modify a security setting associated with *at least* one of the plurality of components [see col. 12, lines 21-51]; however, Calamera fails to explicitly teach security apparatus comprising means for representing to a user plurality of components of a platform.

Saunders teaches security apparatus comprising means for representing to a user plurality of components of a platform [..the user or operator of the system can trust that all of the software and hardware components of the system have been authenticated; see col. 2, lines 33-67]. It would have been obvious to one of ordinary skill in the art, having the teachings of Calamera and Saunders before him at the time the invention was made, for creating a secure of a network component system of Calamera to include a secure data processing system by a user, as taught by Saunders. One would have been motivated to make such a combination in order to build a trusted relationship between the computing apparatus and its users, involves platform

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integrity checking; therefore, it would enable to provide certain types of communication or information to be trusted to differing degrees.

Regarding claim 2, Calamera discloses wherein the security metric is presented to a user as a representational model of software and/or hardware functionality of the computer entity (see col. 11, lines 34-65 and figure 8).

Regarding claim 3, Calamera discloses according to claim 1, further comprising input means for allowing a user to interact with the modifying means to modify the security setting (see col. 9, lines 7-57).

Regarding claim 4, Calamera discloses further comprising means for establishing possible modifications to the security setting based upon the received security metric (see col. 14, lines 10-56).

Regarding claim 5, Calamera discloses, wherein the level of complexity of the presented is selectable by a user metric (see col. 13, lines 23-59).

Regarding claim 7, Calamera discloses wherein representing the plurality of component comprises representing software and/or hardware functionality of the computer platform (see col. 10, lines 15-55).

Regarding claim 8, Calamera discloses further comprising presenting to the user possible modifications to the security setting (see col. 16, lines 1-61).

Regarding claim 9, Calamera discloses further comprising allowing the user to select a level of complexity of representing to the user the plurality of components (see col. 10, lines 15-57).

Claims 10 and 14, differ from claims 1 and 6 in that “computer-readable code, said computer-readable code being configured to represent to a user a plurality of computer components, represent to the user interactions among the plurality of computer components [see col. 4, lines 7-17 and figure 3] as recited in Saunders; and allow the user to modify a security setting associated with at least one of the computer components; (see col. 2, lines 40-62). One would have been motivated to make such a combination in order to build a trusted relationship between the computing apparatus and its users, involves platform integrity checking; therefore, it would enable to provide certain types of communication or information to be trusted to differing degrees.

Regarding claims 11 and 15, Calamara discloses wherein representing the plurality of computer components comprises representing software and/or hardware functionality of a computer (see col. 6, lines 18-65).

Regarding claims 12 and 16, Calamara discloses, wherein the computer-readable code is further configured to present the user possible modifications to the security setting (see figures 10-12).

Regarding claims 13 and 17, Calamara discloses, wherein the computer-readable code is further configured to allow the user to select a level of complexity of representing to the user the plurality of computer components (see col. 10, lines 23-57).

(10) Response to Argument

In response to appellant's argument of the brief, on pages 3-4 that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, a system for creating a secure of a network system of Calamera to include a secure data processing system, as taught by Saunders. One would have been motivated to make such a combination in order to build a trusted relationship between the computing apparatus and its users, involves platform integrity checking; therefore, it would enable to provide certain types of communication representing for software and/or hardware functionality of the computer platform to be trusted to differing degrees and allowing a user security setting for the authenticate process in detecting for *at least* one of the components in the system.

At pages 5-6 of the brief, Appellant argues that the combination of Calamera and Saunders do not teach or suggest means for representing to a user interaction among plurality of components of a computer platform. The Examiner respectfully disagrees. As shown in figure 2, Calamera teaches the computing platform may comprise any network-centric platform that includes a computing device configured to interact with a server; however, for ease of description and depiction, the computing platform described herein comprise separate client and

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server computers; and network-oriented component layer contains the underlying technology for creating encapsulated entity components that contain references to network resources located on computer networks; as recited in col. 5, lines 60-67. Therefore, Calamera teaches means for representing to a user interaction among plurality of components of a computer platform. In view of the above, the examiner respectfully asserts that Calamera teaches a network system and the servers are typically computing platform having hardware and software element that provide resources or services for the clients.

At pages 5-6 of the brief, Appellant argues that the combination of Calamera and Saunders do not teach or suggest represent to a user a plurality of computer components, represent to the user interactions among the plurality of computer components. The Examiner respectfully disagrees. As shown in figure 4, Calamera teaches the network-oriented component system which, when invoked, causes actions to take place that enhance the ability of a user to interact with the computer to create encapsulated entities that contain references to network resources located on computer networks, such as the Internet. The encapsulated entities are manifested as visual objects to a user via a window environment, such as the graphical user interface provided by System or Windows, as a graphical display to facilitate interactions between the user and the computer, such as the client. This behavior of the system is brought about by the interaction of the network components with a series of system software routines associated with the operating system. These system routines, in turn, interact with the component architecture layer to create the windows and graphical user interface elements; as recited in column 7, lines 32-41 and column 8, lines 4-35. In view of the above, the examiner respectfully asserts that Calamera teaches a network-oriented component layer contains the

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technology for creating entity components that contain references to network resources located on computer networks and communicating among these components is achieved through application programming interfaces (APIs).

At pages 5-6 of the brief, Appellant argues that the combination of Calamera and Saunders do not teach or suggest allowing the user to modify a security setting associated with *at least* one of the plurality of components. The Examiner respectfully disagrees. As shown in figure 6-7, Calamera teaches the viewing editor then ~~modifies~~ or displays, either visually or acoustically, the contents of the data types. The window object and the graphic interface object are elements of a graphical user interface of a network component system that greatly enhances the ability of a user to efficiently access information from a network resource on computer networks by creating an encapsulated entity that contains a reference to that resource. The encapsulated entity is preferably implemented as a network component of the system and stored as a visual object, e.g., an icon, for display on a graphical user interface. Such information may comprise a user's password, a network address or anything that may be considered sensitive if easily discovered by another party. It is directed to securely associating information with the encapsulated network entity; as recited in col. 10, lines 3-57. In view of the above, the examiner respectfully asserts that Calamera teaches allowing the user to modify a security setting associated with *at least* one of the plurality of components to change a user's password if easily discovered by third party.

At pages 7-8 of the brief, Appellant argues that the combination of Calamera and Saunders do not teach or suggest security apparatus comprising means for representing to a user plurality of components of a platform. The Examiner respectfully disagrees. As shown in figure

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2, Saunders teaches the *user* or operator of the system can trust that all of the software and hardware components of the system have been authenticated and determining the authenticity of one or more system components of a data processing system which also includes a programmable central processor unit, memory, a security circuit having a cryptographic engine, and a cryptographic key store, the method comprising the steps of entering one or more keys into the cryptographic key store, operating on the contents of the cryptographic key store by means of the cryptographic engine to generate a digital signature referenced to a component of the system to be authenticated, generating a digital signature from the component to be authenticated, and providing an indication of authenticity by comparing the digital signature generated by the cryptographic engine with that generated from the component to be authenticated on a computing platform; as recited in column 1, lines 35-64. In view of the above, the examiner respectfully asserts that Saunders teaches security apparatus comprising means for representing to a user plurality of components of a platform. It is desirable to provide a software and hardware environment where the *user or operator* of the system can trust all of the software and hardware components of the system. The means to authenticate the components of the data processing system must be such as to provide security for the authentication process itself if the security process is to be reliable in detecting any compromise of the components of the system.

In response to appellant's argument of the brief , on pages 7-8 that allowing the user to modify a security setting associated with *at least* one of the plurality of components, the fact that applicant has recognized another advantage which would flow naturally from following the

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suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

(12) Conclusion

For the above reasons, the rejections of claims 1-17 under 35 U.S.C 103(a) should be sustained.

Respectfully submitted,

/Cao (Kevin) Nguyen/
Primary Examiner, Art Unit 2173
01/13/09

Conferees:

/Tadesse Hailu/
Primary Examiner, Art Unit 2173

/Kieu D Vu/
Primary Examiner, Art Unit 2175

/William L. Bashore/
Supervisory Patent Examiner, Art Unit 2175